WP MS No. 26 of 2003

Hon.ble Irshad Hussain, J.

Heard Sri J.P. Joshi, learned counsel for the petitioner and Sri N.B. Tiwari, learned C.S.C.

Against the order of the prescribed authority, an appeal was preferred as provided under the law and the learned District Judge concerned has passed an order summoning the record on 28.11.2002 and the matter of stay was deferred for disposal. However, the record was not sent to the appellate Court and the meanwhile on 11.12.2002, eviction order in form-B was issued. Considering this, the District Judge is directed to decide the stay application by the date fixed and till then the eviction of the petitioner shall remain stayed.

With this the petition is disposed of.

Irshad Hussain, J.

Dt. 08.01.2003

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